

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

UNITED STATES OF AMERICA)
ex rel. JACKIE BYERS,)
Plaintiffs,)
v.)
AMEDISYS HOLDING, LLC. f/k/a)
AMEDISYS INC., et al.,)
Defendants.)

7:21-cv-03109-DCC

FILED UNDER SEAL

UNITED STATES OF AMERICA)
ex rel. CATHY MCGEE and)
ANGELA MONROE,)
Plaintiffs,)
v.)
AMEDISYS, INC.,)
Defendant.)

UNITED STATES OF AMERICA)
ex rel. ELLYN D. WARD,)
Plaintiffs,)
v.)
AMEDISYS, INC.,)
Defendant.)

UNITED STATES' MOTION TO UNSEAL CASE

On September 29, 2021, these qui tam actions were transferred to the District of South Carolina by Notice of Transfer, from the District of Massachusetts. On February 16, 2021,

while these cases were pending in the District of Massachusetts, the United States declined to intervene in the actions, pursuant to 31 U.S.C. § 3730(b)(4). *See* Attach. A. Though the United States declined to intervene in these cases, the cases remain under seal after transfer to the District of South Carolina. Having been transferred to this District, the United States attaches hereto the original filed complaints filed by the respective relators.¹ *See* Attachs. B, C, and D.

Although the United States has declined to intervene, it respectfully refers the Court to 31 U.S.C. § 3730(b)(1), which allows the relators to maintain the actions in the name of the United States, providing, however, that the “action[s] may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” Therefore, the United States requests that, should any relator or any defendant propose that any of the actions be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in these actions be served upon it. The United States also requests that orders issued by the Court be sent to counsel for the United States. The United States reserves its right to order any deposition transcripts, to intervene in this action for good cause at a later date, and to seek dismissal of the relators’ actions or claims. The United States also requests that it be served with all notices of appeal.

Finally, the United States requests that this Motion, and its attachments (the original filed complaints), be unsealed. The United States requests that all other papers on file in these

¹ As demonstrated by the attached complaints, these cases were originally filed in various Districts. In 2019, the cases were transferred, under seal, to the District of Massachusetts. Following the United States’ declination, the cases were transferred to this District.

actions remain under seal because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this motion.

Respectfully Submitted,

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